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IAB Case #2173971

PERSONNEL INVESTIGATION FORM

IAB INVESTIGATIVE SUMMARY

SUBJECT INTERVIEW:

David Avila, # [REDACTED] Deputy Sheriff, Pico Rivera Station

WITNESS INTERVIEW:

Cesar Barragan, # [REDACTED] Deputy Sheriff, Pico Rivera Station

EXHIBITS:

- #1 Audio recordings of subject and witness interviews
- #2 Complaint report authored and submitted by Subject Deputy David Avila under file # 406-04995-1514-053
- #3 Supplemental report by Detective Gilbert Marquez regarding his follow-up investigation under file # 406-04995-1514-053
- #4 Complete Watch Commander's Service Comment Report # [REDACTED] with investigation and associated documents
- #5 Booking package and photographs of Suspect [REDACTED]
- #6 Mobile Digital Data incident record # PRV06159-0207
- #7 In-service sheets for Pico Rivera Station, PM shift on 06-08-06 and EM shift on 06-09-06
- #8 Court records indicating Suspect Rivera's conviction after a no lo contendre plea to 242 and 422 PC and 10-day jail sentence

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MISCELLANEOUS DOCUMENTS:

- #1 Administrative Rights form signed by Subject Avila
- #2 Admonition for Sworn Witnesses form signed by Witness Barragan
- #3 Copy of MPP Section 3-01/030.10, Obedience to Laws, Regulations, and Orders
- #4 Copy of MPP Section 3-01/100.35, False Information in Records
- #5 Copy of MPP Section 3-01/050.10, Performance to Standards
- #6 Copy of applicable Department "Guidelines for Discipline" sections
- #7 Subject Avila's PPI Report

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

DATE: July 11, 2006

DISPOSITION SHEET

FILE NO. IV #2173971

FROM: MICHAEL J. ROTHANS, CAPTAIN
PICO RIVERA STATIONTO: KARYN J. MANNIS, CAPTAIN
INTERNAL AFFAIRS BUREAUSUBJECT: David Avila, # [REDACTED]
Deputy Sheriff
Field Operations Region III
Pico Rivera Station

Upon consideration of the facts developed in this investigation, I have determined that Subject Avila be suspended for a period of **fifteen (15)** days without pay from his position as a Deputy Sheriff for the reasons set forth in the attached documentation. This decision may be reconsidered based on the employee's response.



Michael J. Rothans, Captain7-11-06

Date

CASE REVIEWED BY:



Thomas P. Angel, Commander7/20/06

Date

Marvin O. Cavanaugh, Chief7/21/06

Date

COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT PERSONNEL INVESTIGATION

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DATE 06-30-06	No. OF SUBJECTS 1	UNIT(S) INVOLVED Pico Rivera Station	I.A.B. FILE No. IV 2173971
MANUAL SECTIONS ALLEGEDLY VIOLATED (BY TITLE AND No.) Obedience to Laws, Rules, and Regulations, MPP 3-01/030.10 as it relates to False Information in Records (police report), MPP 3-01/100.35, Performance to Standards, MPP 3-01/050.10			
DATE, TIME, DAY OF OCCURRENCE On or about June 8, 2006, Thursday, 2200 hours			RELATED URN FILE No. IF APPLICABLE 406-04995-1514-053
LOCATION OF OCCURRENCE South Passons Boulevard, Pico Rivera, Ca. 90660			
SOURCE OF COMPLAINT: <input checked="" type="checkbox"/> COMMUNITY <input type="checkbox"/> SUPERVISION <input type="checkbox"/> W/C REPORT No. [REDACTED] <input type="checkbox"/> OTHER SOURCES (SPECIFY) _____			

SUBJECT No. 1 OF 1	LAST NAME Avila	FIRST NAME David	M.I. M.	RANK OR TITLE Deputy	EMP. No. [REDACTED]
UNIT OF ASSIGNMENT Pico Rivera Station		DATE ASSIGNED 10-30-05		DIVISION OR REGION Field Operations Region III	
STATUS OF SUBJECT <input checked="" type="checkbox"/> CONTINUING ON DUTY <input type="checkbox"/> RELIEVED OF DUTY - REASSIGNED TO: _____ <input type="checkbox"/> OTHER _____					
SEX Male	RACE Hispanic	HAIR Black	EYES Brown	HEIGHT 510	WEIGHT 185
DATE OF HIRE 02-23-99		DATE APPOINTED TO RANK [REDACTED]		INTERVIEW TAPE RECORDED ON TAPE 1 OF 1 SIDE <input checked="" type="checkbox"/> A <input type="checkbox"/> B DATE 06-28-06 TIME 8:55 PM	

PREVIOUS 7 YEAR FOUNDED INVESTIGATIONS (EXCLUDING TRAFFIC)			
DATE	I.A.B. FILE No.	MANUAL SECTION(S) VIOLATED	DISCIPLINE
No prior founded administrative investigations			

SUBJECT No. OF	LAST NAME	FIRST NAME	M.I.	RANK OR TITLE	EMP. No.
UNIT OF ASSIGNMENT		DATE ASSIGNED		DIVISION OR REGION	
STATUS OF SUBJECT <input type="checkbox"/> CONTINUING ON DUTY <input type="checkbox"/> RELIEVED OF DUTY - REASSIGNED TO: _____ <input type="checkbox"/> OTHER _____					
SEX	RACE	HAIR	EYES	HEIGHT	WEIGHT
DATE OF HIRE		DATE APPOINTED TO RANK		INTERVIEW TAPE RECORDED ON TAPE _____ OF _____ SIDE <input type="checkbox"/> A <input type="checkbox"/> B DATE _____ TIME _____	

PREVIOUS 7 YEAR FOUNDED INVESTIGATIONS (EXCLUDING TRAFFIC)			
DATE	I.A.B. FILE No.	MANUAL SECTION(S) VIOLATED	DISCIPLINE

CODE: C - COMPLAINANT, W - WITNESS		ADDITIONAL COMPLAINANTS, WITNESSES, OR SUBJECTS ON SUPPLEMENTAL PAGES <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
CODE W	No. 1 OF 1	LAST NAME Barragan	FIRST NAME Cesar	M.I. C.	SEX Male
		RACE Hispanic	D.O.B. [REDACTED]		
RESIDENCE ADDRESS [REDACTED]			RES. PHONE (AREA CODE) [REDACTED]		
BUSINESS ADDRESS OR UNIT OF ASSIGNMENT Pico Rivera Station			BUS. PHONE (AREA CODE) (562) 949-2421		
INTERVIEW TAPE RECORDED ON TAPE 1 OF 1 SIDE <input type="checkbox"/> A <input checked="" type="checkbox"/> B DATE 06-29-06 TIME 12:21 AM					
CODE	No. OF	LAST NAME	FIRST NAME	M.I.	SEX
		RACE	D.O.B.		
RESIDENCE ADDRESS			RES. PHONE (AREA CODE) ()		
BUSINESS ADDRESS OR UNIT OF ASSIGNMENT			BUS. PHONE (AREA CODE) ()		
INTERVIEW TAPE RECORDED ON TAPE _____ OF _____ SIDE <input type="checkbox"/> A <input type="checkbox"/> B DATE _____ TIME _____					
PRIMARY INVESTIGATOR Reed, Christopher J.		RANK Lieutenant		EMP. No. [REDACTED]	
ASSISTING INVESTIGATOR		RANK		DATE SUBMITTED	

SHERIFF'S DEPARTMENT PERSONNEL INVESTIGATION

I.A.B. FILE No.

IV 2173971

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NARRATIVE SHOULD BE AN OBJECTIVE AND UNBIASED STATEMENT OF THE FACTS; INVESTIGATOR OPINIONS SHALL NOT BE INCLUDED.

No. OF
ITEMS

LIST EXHIBITS/EVIDENCE FIRST (IF STORED, STATE LOCATION - AUDIO TAPES SHOULD BE CLEARLY LABELED), THEN BEGIN NARRATIVE.

- 2 · ADMINISTRATIVE RIGHTS FORMS. (ATTACH ONE FORM FOR EACH EMPLOYEE INTERVIEWED)
- 1 · AUDIO TAPES. ALL INTERVIEWS SHALL BE TAPE RECORDED AND ALL TAPES MUST BE INCLUDED.
(LIST EACH INTERVIEWEE BY NAME.)
- 1 · Audio tape interview with Subject David Avila, Side A, Witness Cesar Barragan, Side B, Tape #1 of 1
- 1 · Complaint report authored and submitted by Subject Deputy David Avila under file # 406-04995-1514-053
- 1 · Supplemental report by Detective Gilbert Marquez regarding his follow-up investigation under file # 406-04995-1514-053
- 1 · Complete Watch Commander's Service Comment Report 142284 with investigation and associated documents
- 1 · Booking package and photographs of Suspect [REDACTED]
- 1 · Mobile Digital Data Incident record # PRV06159-0207
- 2 · In-service sheets for Pico Rivera Station, [REDACTED] shift on 06-08-06 and [REDACTED] shift on 06-09-06
- 1 · Court records indicating Suspect Rivera's conviction after a no lo contendre plea to 242 and 422 PC and 10-day jail sentence

NARRATIVE CAN BE CONTINUED ON SH-AD-49 CONTINUATION FORM OR PLAIN BOND.